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January 8, 2024

Via ECF

Hon. Ona T. Wang, U.S. Magistrate Judge
United States District Court, Southern District of New York
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

MEMO ENDORSED.

Re: McAvoy-Micelli v. Kijakazi, Acting Comm'r of Soc. Sec.
Docket No.: 1:23-CV-05969-KPF

Dear Magistrate Judge Wang:

I represent the plaintiff, Heather McAvoy-Micelli, in the above-referenced case seeking review of the denial of Social Security benefits. Nahid Sorooshyari and Michael Corona from the Office of General Counsel represent the Commissioner.

As directed by Judge Polk Failla's January 5, 2024, Order, I write to renew my December 22, 2023, request (ECF Doc 7) for an adjournment of the briefing schedule in this matter.

As previously advised, the parties had requested a revised briefing schedule via letter dated September 11, 2023, (ECF No. 5), which was not ruled upon. Nonetheless, in accordance with that proposed briefing schedule, the Commissioner served the Administrative Record upon the plaintiff on November 9, 2023, and the plaintiff's motion would be due on January 12, 2024.

However, on December 22, 2023, I requested a three (3) week adjournment of the proposed briefing schedule, which would result in the following new schedule:

	<u>Prior Requested Deadline</u>	<u>New Deadline</u>
Plaintiff to Serve Brief	January 12, 2024	<i>February 2, 2024</i>
Defendant to Serve Brief	March 12, 2024	<i>April 2, 2024</i>
Plaintiff to Serve Reply	April 2, 2024	<i>April 23, 2024</i>

As I previously explained to Judge Polk Failla, I made this request because I have a moving brief due on January 12, 2024, in another case which cannot be adjourned. That, coupled with the holidays and some family and personal health issues, will prevent me from completing the moving papers in this case by January 12, 2024, especially given the size of the Administrative Record in this case, at over 1,300 pages.

I have consulted with defense counsel, and Mr. Corona has consented to this request.

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Again, there had been one prior adjournment of the default briefing schedule under Standing Order 22-MISC-329, which was not ruled upon, and I apologize for both parties' failure to follow up on that request earlier.

If any additional information is needed in connection with this request, please do not hesitate to contact me. Thank you for your consideration of this request.

Respectfully submitted,
THE DEHAAN LAW FIRM P.C.

By: /s/ John W. DeHaan
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cc: Nahid Sorooshayari, OGC (via ECF)
Michael Corona, OGC (via email)
(Michael.Corona@ssa.gov)

Application **GRANTED**. No further extensions.

SO ORDERED.



Ona T. Wang 1/8/24
U.S.M.J.